

**#16-Morse Orders and Decrees**

mill upon the Beckstead Irrigation Company's Canal, mentioned in Finding 4, and enlarged said canal, and have from said time to the present, operated said mill continuously with water appropriated from the Jordan river, and conveyed thru the said Beckstead Canal, using for that purpose, 23 cu. ft. of water per sec.

for

That/more than 20 years prior to said appropriation, said amount of water had during all seasons continuously, ran down the main channel of said river, to the mill owners to the north and below where said water is used.

The water thus used is returned to the river at a point above the place of division of the water by the Gardiner mill race, the Cooper mill race and the Bennion and Bennion mill race.

There is no water taken from the river for any purpose, between the head of the Beckstead Canal and the point where said water is returned to the river, and the distance from the head of the Canal to the point where the water is returned to the river, is 2 miles less by way of the Canal than by way of the channel of the river, and the water used in the operation of such mill can be conveyed thru said canal, and after being used, returned to the river undiminished in quantity and unimpaired in quality, without in any manner interfering with any rights of prior claimants.

**SIXTEENTH.**

The court finds that in the months of April and May, 1897, one C.M. Dull, acting for and in behalf of Allen G. Lamson, the grantor and predecessor in interest of the Salt Lake City Water & Electrical Power Company, posted, filed and recorded a notice that he had appropriated the entire flow of the Jordan river, (except the waters theretofore appropriated by the East Jordan Irrigation Company and the Utah & Salt Lake Canal Company), at a point immediately south of the old dam so called, in Sec. 28, T. 4 South of Range 1 West, for the purpose of operating a power plant for the generation of electrical power, the waters so sought to be appropriated to be returned after having been used for power purposes at such plant undiminished in quantity and unimpaired in quality to said river, and such appropriation was declared in said notice to be subject and secondary to all vested rights of prior appropriators; and in the month of June of the same year, one, C.W.L. Stephens, acting for and on behalf of Allen G. Lamson, the grantor and predecessor in interest of the said Power Company, posted, filed, and recorded a similar notice, which notice was an exact duplicate of the Dull notice, but which said notice was not verified by the affidavit of said Stephens or by anyone on his behalf.

And in December of the same year, the said Allen G. Lamson, posted, filed and recorded a notice that he had